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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/916,042	07/25/2001	Kevin G. Currans	10003388-1	7403

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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

NGUYEN, TRONG NHAN P

ART UNIT PAPER NUMBER

2152

DATE MAILED: 12/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/916,042

Applicant(s)

CURRANS ET AL.

Examiner

Jack P Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/25/01
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claims 1-20 are being examined.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claims 1-4, 9-14, and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Fields et al, 6,128,655 (Fields hereafter).

As per claim 1, Fields teaches a method for obtaining content for publication (abstract), the method comprising the following steps: (a) storing publishable content within at least one content server (20, fig. 1, col. 3, lines 63-64; content provider server 'CPS' stores and provides publishable content data), each item of the publishable content including specific criteria pertaining to publication of the item (109, fig. 2, col. 4, lines 27-28; criteria is determined through a set of filters to select the documents being requested by client); (b) generating, by a publishing system (113, fig. 2; publishing system is the client requesting publishable data from content provider {107, fig. 2; col. 4, line 27} via the intermediate node {103, fig. 2}), a request for publishing content, the request for publishing content including requested criteria for the requested publishing content; (c) sending, by the publishing system to a service location system (103, fig. 2;

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the client sends the request {115, fig. 2} to the intermediate node (service location system 'SLS' or hosting site {103, fig. 2} for publishable data), the requested publishing content (col. 4, lines 33-36); (d) using, by the service location system, the requested criteria for the requested publishing content to obtain from the at least one content server, first publishing content that satisfies the requested criteria (117, fig. 2, col. 4, line 38; 'SLS' or hosting site sends a request to content server for data based on set of criteria (determined by filters, as stated above)); and, (e) returning from the service location system to the publishing system the first publishing content (123, fig. 2; col. 4, lines 62-63; after receiving requested content from content server, 'SLS' returns the content to the client for display).

Claims 10 and 11 recite similar limitations to claim 1; therefore, they are rejected for similar reasons as claim 1 addressed above.

As per claim 2, Fields teaches publishable content contains print advertisements (213, fig. 3B, col. 6, lines 28-29).

As per claims 3-4, Fields teaches at least one content server includes a plurality of content servers arranged in a hub network configuration (20, fig. 1; content servers are arranged in hub configuration) and a plurality of content servers arranged in a hierarchical network configuration (fig. 2; client (113, fig. 2) sends request to intermediate node (103, fig. 2); intermediate node then forwards request to content server (107, fig. 2), thus forming a hierarchical network configuration).

Claim 9 is rejected for similar reasons as claim 2 above. Fields further teaches the specific criteria include a profile of a targeted audience (col. 9, lines 11-12; system

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uses criteria in user profile to determine user preferences on the types of content the user wishes to receive).

Claims 12-14 and 19 are rejected for similar reasons as claims 2-4 and 9 addressed above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5-8, 15-18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fields et al, 6,128,655 (Fields hereafter).

As per claims 5-8, Fields teaches content servers that stores both content (e.g., news articles) and advertisements embedded in the content (col. 4, lines 12-16). Fields does not explicitly disclose content includes recipes, book, recipe reference to a book that contains the recipe, and advertisement related to recipe. However, it is well known in the art that content could be of any nature (recipe, book, music files, video files, news, stock quotes, etc) and when the user accesses the content, the user will see the advertisement message being embedded within the content as disclosed by Fields in (213, fig. 3B; col. 4, lines 12-16; col. 6, lines 28-29). Hence, it would have been obvious to one of ordinary skill in the art to modify the teachings of Fields to embed an advertisement in the content message that allow companies to associate

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advertisements with desired content to promote products as disclosed by Fields in [col. 4, lines 12-16].

Claims 15-18 are rejected for similar reasons as claims 5-8 addressed above.

As per claim 20, Fields teaches content can be formatted according to user's profile, preferences and styles (col. 8, lines 61-64; col. 9, lines 9-12). Fields does not explicitly disclose publishing content is for display on personal digital assistants (PDAs). However, it would have been obvious to one of ordinary skill in the art to be motivated to modify the teachings of Fields to have the data be viewable on plurality of devices (including PDA and pager) to accommodate the user's requirements.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Cottingham, 6,339,761; Rangan et al, 6,006,265; Puri et al, 6,148,330 ; Lewin et al, US Pub 2002/0091801 ; Moskowitz et al, 5,905,800 ; Gupta et al, 6,487,538 ; Appelman et al, 6,226,648 ; Roth et al, 6,285,987

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jack P Nguyen whose telephone number is (571) 272-3945. The examiner can normally be reached on M-F 8:30-5:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone

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number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jpn



Dung C. Dinh
Primary Examiner